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VIA ECF

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Jason B. Nicholas v. City of New York, et. al., 15 Civ. 9592 (JPO)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants City of New York, former NYPD Police Commissioner William Bratton, NYPD Deputy Commissioner for Public Information Stephen Davis and Det. Michael Debonis, in the above-referenced matter. Although we obviously disagree with the merits of plaintiff's letter at Docket 93 for the reasons set forth in our opposition to plaintiff's motion to amend, and assert that there is no basis for striking our response, defendants join in the request for an immediate conference with the Court at the Court's earliest convenience. Should plaintiff's motion to amend be granted, it may require relitigating Nicholas v. City of New York, et. al., 15 CV 9896 (PGG)(AJP), which was fully settled late last year. In light of the party depositions which have yet to be taken in this case, it is necessary for me to know what is presently being litigated in this case, and I assume that would be useful for Mr. Nicholas to know as well. Thus, I do agree with Mr. Nicholas to the limited extent that an immediate conference with the Court would be most useful and respectfully request same.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Mark D. Zuckerman
Senior Counsel

cc: Jason B. Nicholas (ECF)